

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

100-10-328

DENNIS EAST INTERNATIONAL, INC., )  
Plaintiff )  
vs. ) Civil Action No. 04-11994-RWZ  
ATHOME AMERICA, INC., )  
Defendant. )  
\_\_\_\_\_  
)

**PLAINTIFF'S INITIAL DISCOVERY DISCLOSURES  
(RULE 26(a)(i))**

Pursuant to Federal Rules of Civil Procedure 26(a)(i), Plaintiff submits the following in discover disclosures:

**A. Persons Possessing Discoverable Information:**

1. Dale Endris: President, Dennis East International, Inc.  
17 Shad Hole Road  
Dennisport, MA  
508-760-4545
2. Richard Dalzell: Dennis East International, Inc.  
17 Shad Hole Road  
Dennisport, MA  
508-760-4545
3. Robert Anderson: CFO, Dennis East International, Inc.  
17 Shad Hole Road  
Dennisport, MA  
508-760-4545
4. Karen Benson: Sales Representative, Dennis East International, Inc.  
17 Shad Hole Road  
Dennisport, MA  
508-760-4545

B. Document Description:

1. Dale Endris - President of the corporate plaintiff who ultimately has access to discoverable documents including, without limitation, copyright registrations, correspondence with Defendant, invoices from Plaintiff to Defendant, purchase orders, cancellation notices and other documents relating to business transactions between Plaintiff and Defendant.
2. Richard Dalzell - Plaintiff's employee with responsibility for and control of documents relating to copyright registrations which are the subject of this litigation.
3. Robert Anderson - Plaintiff's employee with responsibility for and control of documents relating to invoices, payments, cancellations of orders and other financial information relating to this litigation.
4. Karen Benson - Plaintiff's salesperson who had majority of contact with Defendants and is in possession of purchase orders and other documents relating to Plaintiff's history of dealings with Defendants.

C. Damages:

1. Since damages prayed for by Plaintiff require computation of Defendant's profits, Plaintiff is unable to determine damages at this time. However, Richard Anderson, Plaintiff's CFO, has in his possession, documents which evidence Plaintiff's losses due to cancellation of orders by Defendant.

Respectfully submitted,

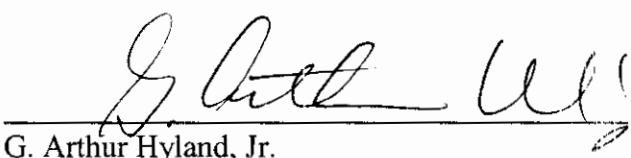
**DENNIS EAST INTERNATIONAL, INC.**

Date: 9/13/05

By G. Arthur Hyland  
G. Arthur Hyland, Jr., its Attorney  
243 South Street  
P.O. Box M  
Hyannis, MA 02601  
(508) 775-3116  
BBO#545488

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of September, 2005, copies of Plaintiff's First Req for Production of Documents Under Rule 34 and Plaintiff's Initial Discovery Disclosures (I 26(a)(i)) was served on Defendant's counsel via first class mail, postage prepaid to: Nichola Alexander, Esq., MORRISON MAHONEY LLP, 250 Summer Street, Boston, MA 02210 and Mic J. Racette, Esq., MORRISON MAHONEY LLP, 250 Summer Street, Boston, MA 02210.

  
G. Arthur Hyland, Jr.  
MURPHY AND MURPHY  
243 South Street, Box M  
Hyannis, MA 02601  
508-775-3116  
BBO #545488